

Changes to Procedures for Issuing Summonses Effective December 20, 2004

The United States Bankruptcy Court for the Eastern District of Louisiana is changing the procedure for issuing summonses effective December 20, 2004. Generally, under the new procedures, the plaintiff or petitioning creditor will present a completed summons form to the clerk's office via e-mail. The clerk's office will sign the summonses and issue them to the plaintiff or petitioning creditor for service on the defendant or alleged debtor. This change is necessary in order to comply with the Bankruptcy Rules. *See* Fed.Bankr.R. 7004(a), *adopting*, Fed.R.Civ.P. 4(b).

Effective December 20, 2004, the procedures for requesting the issuance of summonses are as follows:

1. Word processing templates will be available on our website, <http://www.laeb.uscourts.gov/Forms/miscforms.htm>, for creating the following types of summonses:

Summons in an Adversary Proceeding;
Third-Party Summons; and
Summons to Debtor in an Involuntary Case.
2. Using the template, the party requesting a summons will create a summons for each defendant or third-party defendant in an adversary proceeding or for the alleged debtor in an involuntary case. All fields on the template must be filled in.
3. The party will submit the prepared summons in word processing format as an e-mail attachment to summons@laeb.uscourts.gov.
4. The clerk's office will sign and issue the summons to the requesting party and docket the summons under "Summons Issued."
5. Upon receiving e-mail notice of the "Summons Issued," the party requesting summons will download and print the summons. ECF filers will not receive a summons by conventional mail, but a plaintiff or petitioning creditor not represented by counsel will receive an original summons by conventional mail. Attorneys with e-mail notification get a "free look" at the summons.

6. The party will serve the summons upon the parties to be served in accordance with the Bankruptcy Rules.
7. Upon completing service, the party will docket proof of service under the event code, "Summons Service Executed."
8. If additional summonses are needed, the requesting party will docket a request/letter under "Request for Issuance of Summons." The party will also simultaneously submit the prepared summons in word processing format as an e-mail attachment to summons@laeb.uscourts.gov. The procedure will continue as in Step 4 above.